



Daniel Boardman
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Australian Energy Regulator
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To Daniel Boardman,

Wholesale Market Monitoring and Reporting Guideline – Draft Guideline

ENGIE Australia & New Zealand (ENGIE) appreciates the opportunity to respond to the Australian Energy Regulator (AER) on the draft Wholesale Market Monitoring and Reporting Guideline (Guideline).

The ENGIE Group is a global energy operator in the businesses of electricity, natural gas and energy services. In Australia, ENGIE operates an asset fleet which includes renewables, gas-powered generation, diesel peakers, and battery energy storage systems. ENGIE also provides electricity and gas to retail customers across Victoria, South Australia, New South Wales, Queensland, and Western Australia.

ENGIE welcomes the AER's transparent approach to establishing its expanded wholesale market monitoring and reporting functions and its commitment to consulting with participants and minimising compliance burden. We also appreciate the indicative timeline for information collection set out in the explanatory statement. In this submission, ENGIE has provided feedback on several elements of the Draft Guideline and explanatory statement.

Coordination and overlap between information collected by other regulatory agencies

As energy market participants are responding to an ever-increasing number of information collection requests, it is critical that the AER's additional requests are harmonised with those issued by other agencies. ENGIE appreciates the challenges the AER has identified in the explanatory statement and would support the AER working with other agencies to aligning elements of information collection instruments. Any differences between instruments, or the data requested, can create significant work for our teams in recutting and reanalysing the data to account for slight differences in the information required for each agency.

As highlighted in our submission to the issues paper, ENGIE asks that the AER establish agreed reporting templates and reporting frequency at the outset, as this will make it easier to plan and allocate resources to respond to reporting requirements.

Additional consultation on draft instruments

ENGIE appreciates the AER's commitment to extend beyond the minimum consultation requirements when developing initial orders and notices. These legislated minimum requirements would provide participants with extremely tight turnaround times to accurately respond to requests that require significant data analysis and validation, particularly for initial notices where internal systems and processes are not yet established.

We urge the AER to specifically reflect this intent in the content of the Final Guideline, rather than this being expressed solely in the associated explanatory material.

Requests for historical information

ENGIE notes the AER's acknowledgement of the burden that historical collection imposes on participants. While the explanatory statement explains that the AER will specifically consider the burden of historical collection when developing information collection instruments, this is not explicitly reflected in the Draft Guideline.

ENGIE requests that the AER explicitly refer to its proposed processes for requesting historical information in the Final Guideline. ENGIE considers that the AER should only request historical information where there is a very clear policy justification and where this information cannot be obtained through other sources. As we noted in our submission to the issues paper, the market has changed significantly in recent years and historical data is unlikely to provide useful context to current data or future market performance.

Guideline revisions

Although not specifically required under rule 8.7.2A of the National Electricity Rules, ENGIE asks that the AER consider committing to the establishment of working groups with members across industry for the purpose of assessing future revisions to the Guideline.

ENGIE would support the Final Guideline clarifying the circumstances in which the AER may decide to propose to amend or replace parts of the Guideline. This type of clarity would improve regulatory certainty for industry and would reduce the risk that participants may need to regularly adjust their reporting systems to reflect changes in information collection processes.

Concluding remarks

Should you have any queries in relation to this submission please do not hesitate to contact me on, telephone, 0436 929 403.

Yours sincerely,

Matthew Giampiccolo

Matthew Giampiccolo

Manager, Regulation and Policy